

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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|-----------------------------------|---|--------------------------|
| _____ |) | |
| MYNETTE TECHNOLOGIES, INC. |) | |
| and STEVEN M. COLBY, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | Case No. 16-cv-01647-RTH |
| THE UNITED STATES, |) | |
| |) | Judge Ryan T. Holte |
| Defendant, |) | |
| |) | |
| and |) | |
| |) | |
| GEMALTO, INC. and IDEMIA IDENTITY |) | |
| & SECURITY USA LLC, |) | |
| |) | |
| Intervenor-Defendants. |) | |
| _____ |) | |

JOINT MOTION TO AMEND SCHEDULING ORDER

Plaintiffs Mynette Technologies, Inc. and Steven M. Colby (collectively, “Mynette”), Defendant, the United States (“the Government”), and Intervenor-Defendants Gemalto, Inc. (“Gemalto”) and Idemia Identity and Security USA LLC (“Idemia”) (collectively, “the Parties”) respectfully submit this Joint Motion to Amend the dates in the current Scheduling Order, filed on October 3, 2024 (ECF No. 202).

Since the Court’s October 3, 2024 Scheduling Order, Plaintiffs and Defendants have exchanged responsive expert reports. In addition, Plaintiffs and the Government have been engaged in meaningful settlement discussions and considerable progress has been made towards a comprehensive settlement of this action. Specifically, Plaintiffs and the Government have

substantially narrowed their differences since the conclusion of the mediation proceedings in September.

Therefore, in an effort to avoid the expense of further litigation, preserve the Parties' and the Court's resources and maintain focus on the present settlement discussions, the Parties propose a forty-nine (49) day extension of the remaining scheduled deadlines to allow those settlement discussions to proceed unimpeded by the need to simultaneously prepare for and conduct the depositions of the parties' expert witnesses.

For the foregoing reasons, the parties respectfully request that the Court modify the dates in the October 3, 2024 Scheduling Order as follows:

| Event | Current Date | Proposed Date |
|--|---------------------|----------------------|
| Close of expert discovery (for all issues other than damages), to include expert depositions | December 6, 2024 | January 24, 2025 |
| Deadline for dispositive motions under RCFC 56 | January 10, 2025 | February 28, 2025 |
| Deadline for responses to dispositive motions | February 7, 2025 | March 28, 2025 |
| Deadline for replies to dispositive motions | February 21, 2025 | April 11, 2025 |

The Parties have not previously sought or obtained a modification of the October 3, 2024 Scheduling Order and respectfully request the Court to modify the October 3, 2024 Scheduling Order (ECF No. 202) as proposed above.

Respectfully submitted, ¹

December 6, 2024

By: /s/ Robert J. Yorio
Robert J. Yorio
CARR & FERRELL LLP
411 Borel Avenue, Suite 603
San Mateo, California 94402
Email: yorio@carrferrell.com

*Counsel for Plaintiffs
Mynette Technologies, Inc. and
Steven M. Colby*

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

SCOTT BOLDEN
Director

By: /s/ Michel E. Souaya
MICHEL E. SOUAYA
Commercial Litigation Branch
Civil Division
Department of Justice
Washington, D.C. 20530
Email: michel.e.souaya@usdoj.gov

Of Counsel:
CONRAD J. DeWITTE, JR.
Department of Justice

Counsel for the Defendant, The United States

By: /s/ Edward D. Johnson
Edward D. Johnson
MAYER BROWN LLP
Two Palo Alto Square, Suite 300
3000 El Camino Real,
Palo Alto, California 94306
Email: wjohnson@mayerbrown.com

*Counsel for Third-Party Defendant,
Gemalto, Inc.*

By: /s/ Richard L. Brophy
Richard L. Brophy
ARMSTRONG TEASDALE LLP
7700 Forsyth Blvd., Suite 1800
St. Louis, MO 63105
Email: rbrophy@armstrongteasdale.com

*Counsel for Third-Party Defendant Idemia
Identity and Security USA LLC*

¹ Pursuant to RCFC 20(B) of Appendix E, the filing attorney represents that the other parties have reviewed this document and consent to its filing.